

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

NATIONAL LIABILITY & FIRE INSURANCE COMPANY,

Plaintiff,

-against-

M.I., Y.I., B.I., A.I., and J.I., Infants by their Mother and, National Guardian, SHERON ITZKOWITZ, SHERON ITZKOWITZ, Individually, A.C., M.C. and A.C., Infants by their Mother and Natural Guardian, BLEEME COMPTON and BLEEME COMPTON, Individually, A.H., an Infant by his Father and Natural Guardian YOSEF HERSHKOWITZ, and YOSEF HERSHKOWITZ, Individually, THE NEW YORK STATE THRUWAY AUTHORITY CORPORATION, AMY LYNN SIMON, d/b/a STONEY RIDGE TOP SOIL, AMY L. SIMON-HOEY, JOHN S. HOEY, VILLAGER CONSTRUCTION, INC., MAX ITZKOWITZ, YOSEF D. COMPTON, and MADISON TITLE AGENCY, LLC,

1:12-CV-00345 (ILG)(CLP)

**ITZKOWITZ DEFENDANTS'  
FIRST SET OF  
INTERROGATORIES**

Defendants.

TO: NATIONAL LIABILITY & FIRE INSURANCE COMPANY

**PLEASE TAKE NOTICE**, that Defendants M.I., Y.I., B.I., A.I., and J.I., Infants by their Mother and National Guardian, SHERON ITZKOWITZ, and SHERON ITZKOWITZ, Individually, by their attorneys, THE LAW FIRM OF ALLEN L. ROTHENBERG, hereby demand that Plaintiff, NATIONAL LIABILITY & FIRE INSURANCE COMPANY, fully, under oath, and in accordance with Federal Rules of Civil Procedure 26 and 33, subject to the instructions set forth below, reply to the following Interrogatories by September 10, 2012.

INSTRUCTIONS

- a. These Interrogatories are continuing in character so as to require you to file supplementary answers if you obtain further or different information before trial.

- b. Unless otherwise stated, these Interrogatories refer to the time, place and circumstances of the 3 motor vehicle accidents and personal injuries mentioned or complained of in the Complaint and the underlying state court actions.
- c. Where the name and identity of a person is required, please state full name, home address and also business address, if known.
- d. Where knowledge or information in possession of a party is requested, such request includes knowledge of the party's agents, representatives, and unless privileged, his attorney's. When answer is made by corporate defendant, state the name, address and title of persons supplying the information and making the affidavit, and announce the source of his or her information.
- e. The pronoun "you" refers to the party to whom the Interrogatories are addressed and the parties mentioned in the clause (d).
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- f. "Identify" when referring to an individual, corporation, or other entity shall mean to set forth the name and telephone number, if a corporation or other entity, its principal place of business, or if an individual, the present or last known address, his or her job title or titles, by whom employed and address of the place of employment.
- g. "Motor vehicle accidents" are defined as the contact between the Hoey dump truck and the overpass, and between the Itzkowitz vehicle and the dump box, and between the Compton vehicle and the dump box on April 7, 2010.

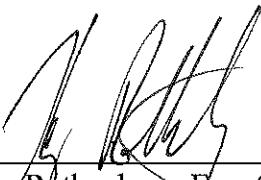
INTERROGATORIES

1. Please provide a complete copy of each claim file for any and all claims arising out of the impact between the Hoey dump truck and the overpass, and between the Itzkowitz vehicle and the dump box, and between the Compton vehicle and the dump box on April 7, 2010, whether related to the underlying state court actions or this action.
2. Please provide all communications, whether written, electronic, or otherwise concerning this action, the underlying state court actions and the vehicles, drivers, and passengers involved in the impacts between the Hoey dump truck and the overpass, between the Itzkowitz vehicle and the dump box, and between the Compton vehicle and the dump box on April 7, 2010, whether related to the underlying state court actions or this action.
3. All photographs and video taken of the Sterling dump truck and dump box taken by Plaintiff's representatives on April 9, 2010 (the date of an inspection by Plaintiff's representatives).

Dated: New York, New York  
August 10, 2012

Yours, etc.

By:



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Harry Rothenberg, Esq. (HR6795)  
THE LAW FIRM OF ALLEN L. ROTHENBERG  
Attorney for Defendants  
M.I., Y.I., B.I., A.I. and J.I., Infants by their Mother and  
Natural Guardian, SHERON ITZKOWITZ and  
SHERON ITZKOWITZ, Individually  
450 Seventh Avenue  
Eleventh Floor  
New York, New York 10123  
(212) 563-0100

TO: All Counsel of Record – (*Via ECF Filing*)

**CERTIFICATE OF SERVICE**

I hereby certify that on August 8, 2012, a copy of the foregoing **PLAINTIFFS' FIRST SET OF INTERROGATORIES** was filed with the Clerk of the Court and served in accordance with the Federal Rules of Civil Procedure, the Eastern District's Local Rules, and the Eastern District's Rules on Electronic Service upon the following parties:

**MELITO & ADOLFSEN P.C.**

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Litigation Bureau

Attorneys for Defendants

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**STONEY RIDGE TOP SOIL**

**AMY LYNN SIMON**

**JOHN S. HOEY**

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**JAMES G. BILELLO & ASSOCIATES**

Attorneys for Defendant

**MAX ITZKOWITZ**

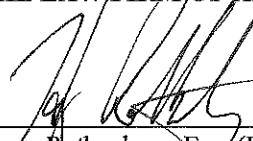
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E-mail: [jkondulis@geico.com](mailto:jkondulis@geico.com)

**THE LAW FIRM OF ALLEN L. ROTHENBERG**



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Harry Rothenberg, Esq. (HR6795)

Attorneys for Defendants

**M.I., Y.I., B.I., A.I. and J.I., Infants by their Mother  
and Natural Guardian, SHERON ITZKOWITZ and  
SHERON ITZKOWITZ, Individually**

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New York, New York 10123

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By:

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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NATIONAL LIABILITY & FIRE INSURANCE,  
COMPANY,

Case No.: 1:12-CV-00345 (ILG)(CLP)

Plaintiff,

-against-

M.I., Y.I., B.I., A.I., and J.I., Infants by their Mother and  
National Guardian, SHERON ITZKOWITZ, SHERON  
ITZKOWITZ, Individually, A.C., M.C. and A.C., Infants  
by their Mother and Natural Guardian, BLEEME  
COMPTON and BLEEME COMPTON, Individually,  
A.H., an Infant by his Father and Natural Guardian,  
YOSEF HERSHKOWITZ, and YOSEF HERSHKOWITZ,  
Individually, THE NEW YORK STATE THRUWAY  
AUTHORITY CORPORATION, AMY LYNN SIMON,  
d/b/a STONEY RIDGE TOP SOIL, AMY L.  
SIMON-HOEY, JOHN S. HOEY, VILLAGER  
CONSTRUCTION, INC., MAX ITZKOWITZ,  
YOSEF D. COMPTON, and MADISON TITLE  
AGENCY, LLC,

Defendants.

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**PLAINTIFFS' FIRST SET OF INTERROGATORIES**

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**The Law Firm of Allen L. Rothenberg**  
*Attorneys for ITZKOWITZ DEFENDANTS*  
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New York, New York 10123  
(212) 563-0100

"WE DO NOT ACCEPT SERVICE BY ELECTRONIC TRANSMISSION (FAX)"

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Dated:  
TO:

**The Law Firm of Allen L. Roth**  
*Attorney for F*  
450 Seventh Avenue, Eleve  
New York, New Y  
(212)